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24 *Bard Peripheral Vascular, Inc.*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

17 IN RE: Bard IVC Filters Products Liability
18 Litigation,

No. 2:15-MD-02641-DGC

DEFENDANTS' PROPOSED VERDICT FORM

(Assigned to the Honorable David G. Campbell)

19 || This Document Relates to:

20 Debra Tinlin, et al. v. C. R. Bard, Inc., et al.
21 CV-16-00263-PHX-DGC

22 We, the jury, duly empaneled and sworn in the above entitled action, upon our
23 oaths, find as follows:

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1 **A. LIABILITY**

2 1. Do you find by the greater weight of the evidence, to a reasonable certainty,
3 that Bard is liable to Mrs. Tinlin on the strict product liability design defect
4 claim?

5 ____ Yes ____ No

6 2. Do you find by the greater weight of the evidence, to a reasonable certainty,
7 that Bard is liable to Mrs. Tinlin on the negligent design claim?

8 ____ Yes ____ No

9 3. Do you find by the greater weight of the evidence, to a reasonable certainty,
10 that Bard is liable to Mrs. Tinlin on the strict product liability warning defect
11 claim?

12 ____ Yes ____ No

13 4. Do you find by the greater weight of the evidence, to a reasonable certainty,
14 that Bard is liable to Mrs. Tinlin on the negligent warning claim?

15 ____ Yes ____ No

16 If you answered “No” to each question in Part A. do not complete Parts B, C or

17 D. If you answered “Yes” to any question in Part A, please complete B, C and
18 D.

19 **B. COMPENSATORY DAMAGES**

20 1. If you found Bard liable to Mrs. Tinlin on any of the claims set forth above,
21 what amount of damages do you feel will reasonably compensate Mrs. Tinlin for
22 her injuries?

23 \$ _____

24 2. Do you find by the greater weight of the evidence, to a reasonable certainty,
25 that Mr. Tinlin sustained a loss of consortium?

26 ____ Yes ____ No

1
2 3. If you answered "Yes" to Question B.2., then answer this question. Otherwise
3 do not answer it. What amount of damages do you find will reasonably
4 compensate Mr. Tinlin for his loss of consortium?

5 \$_____

7 **C. APPORTIONMENT OF NEGLIGENCE**

8 1. Do you find by the greater weight of the evidence, to a reasonable certainty, that
9 Dr. Joshua Riebe was negligent and that his negligence was a cause of
10 Mrs. Tinlin's injuries?

11 ____ Yes ____ No

12 2. Do you find by the greater weight of the evidence, to a reasonable certainty, that
13 Dr. Robert Haller was negligent and that his negligence was a cause of
14 Mrs. Tinlin's injuries?

15 ____ Yes ____ No

16 If you answered "yes" to Question Nos. C.1 and/or C.2, then answer this question:
17 What percentage of total responsibility do you attribute to the following:

18 Bard: _____

19 Dr. Riebe: _____

20 Dr. Haller: _____

21 Total: 100%

22 **D. PUNITIVE DAMAGES**

23 Do you find by clear, satisfactory, and convincing evidence, to a reasonable degree
24 of certainty, that punitive damages should be awarded against Bard?

25 ____ Yes ____ No

27 ____ Presiding Juror Number

27 ____ Date

1 RESPECTFULLY SUBMITTED this 12th day of April, 2019.
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3

4 s/ Richard B. North, Jr.
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6 Richard B. North, Jr.
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19 **and Bard Peripheral Vascular, Inc.**
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